

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

TONY HILLEY	§	PLAINTIFF
	§	
v.	§	Civil No. 1:07CV1069 HSO-JMR
	§	
MULTI-TRADE CONTRACTORS, ET AL.	§	DEFENDANTS

**ORDER GRANTING AS UNOPPOSED DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56**

BEFORE THE COURT is a Motion for Summary Judgment filed pursuant to FED. R. CIV. P. 56, filed on March 13, 2009 [40-1], by Defendant Multi-Trade Contractors. Defendant moves the Court to enter summary judgment on the grounds that because Heidi Starkey was an employee of Robert Wegnerowski and not Multi-Trade, there can be no cause of action for vicarious liability against Multi-Trade Contractors. The Court has been informed on this day that Plaintiff does not oppose the granting of Defendant's Motion.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, Defendant's Motion for Summary Judgment [40-1] pursuant to FED. R. CIV. P. 56, should be and is hereby **GRANTED**, and Plaintiff's claims are hereby **DISMISSED AGAINST MULTI-TRADE CONTRACTORS**. The case will proceed on Plaintiff's remaining claims.

SO ORDERED AND ADJUDGED, this the 3rd day of April, 2009.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE